

MINUTES
UTAH
CERTIFIED COURT REPORTERS LICENSING BOARD
MEETING

November 15, 2007

Room 402 – 4th Floor – 2:00 p.m.
Heber Wells Building
Salt Lake City, UT 84111

CONVENED: 2:00 p.m.

ADJOURNED: 2:55 p.m.

Bureau Manager:

Clyde Ormond

Board Secretary:

Jacky Adams

Board Members Present:

Shelley Wadsworth, Temporary Chairperson
Catherine Kennedy
Rossann J Morgan
Mary Bearnson

Board Members Absent:

Rockie Dustin

Guests:

DOPL Staff Present:

F David Stanley, Division Director

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:
MINUTES:

Ms. Wadsworth seconded by Ms. Bearnson made a motion to approve the minutes from the April 26, 2007 meeting, as written, the motion carried unanimously.

Swear in New Board Member

Mr. Ormond issued the oath of office to Ms. Kennedy, and welcomed her to the Board.

Elect a new Chairperson

Ms. Wadsworth seconded by Ms. Bearnson made a motion to re-elect the Mr. Dustin as the chairman for the 2007 – 2008 year, the motion carried unanimously

BUSINESS FROM PREVIOUS MEETING:

Licensure Requirements – Notary

At the April 26, 2007 meeting Mr. Dustin agreed to research which Statute requires this profession to hold a Notary Certificate. Mr. Dustin notified the Division on November 14, 2007 that he would be unable to attend this meeting. However, he submitted an email, to Mr.

Ormond, with his findings. Mr. Dustin explained that after a discussion with Ms. Savino of the NCRA (National Court Reporters Association), the Notary requirement seems to derive from the need for a Certified Court Reporter to issue Oaths. However, Ms. Savino was concerned with the common practice of some Certified Court Reporters who notarize their own signatures. Ms. Wadsworth agreed adding that it is assumed that by notarizing their documents, the Certified Court Reporter is attesting that the document was true and unaltered, the remainder of the Board agreed.

Ms. Wadsworth then question if the requirement for Notary Certification could be, due to the Bond. Ms. Kennedy explained that the Notary Bond only protects the public if a Certified Court Reporter notarizes something incorrectly, it does not protect the public in any other way. Ms. Kennedy then suggested that this profession may want to implement a Court Reporter seal, instead of using a Notary seal.

Mr. Ormond suggested for more research to be conducted prior to any changes being made to the current Statute, the Board agreed.

Mr. Ormond will discuss this issue with Ms. Epstein, Attorney General Representative for the Division, to obtain an opinion, on the following issues:

1. Where does the belief that a Certified Court Reporter must hold Notary Certification come from?
2. Is this requirement based on the need for the Certified Court Reporter to be bonded?
3. Could this profession implement a Certified Court Reporter Seal, in the place of a Notary Public Seal?

After a detailed discussion it was determined that all of the Boards questions will be forwarded to Ms. Epstein for review and Mr. Ormond will contact the Association President for comment.

Proposed Rules Change

Mr. Ormond reviewed the proposed rules changes, explaining that the Division will be adopting the Code of Ethics for both NCRA and NVRA (National Voice Recorder Association), and that violation of the Associations Code of Ethics will be considered to be Unprofessional Conduct, with the Division.

The proposed wording implies that licensees must

comply with both Associations Code of Ethics; R156-74-502 will be re-worded to be more license specific.

Mr. Ormond will email a final copy to each board member for approval.

DISCUSSION ITEMS:

Rule on Supervisor and Supervising

Mr. Ormond addressed the Board explaining that the Legislative Rules Committee felt that there was no conformity in how any of the Divisions professions define "Supervision"; Mr. Ormond explained that Mr. Stanley is proposing adding a section to R156-1 which will primarily define three levels of Supervision: Direct Supervision, Indirect Supervision, and General Supervision. Mr. Ormond then explained that after a detailed discussion with Mr. Dustin it was determined that since the definition of "General Supervision" allows for "consultation with the person being supervised by...some other means", it would be in the best interest of this profession to recommend approval of Mr. Stanley's recommendations.

Ms. Wadsworth was concerned with the recommendation, based on most licensees in this profession are Subcontractors, and the Firm Owners have no control over the licensee's actions, and it would be difficult for the licensee to meet the requirements of supervision. After a brief discussion it was determined that the Board could be implemented as the supervisor, if a licensee is placed on probation. The Board then agreed with Mr. Dustin and Mr. Ormond's recommendation.

Mr. Ormond then explained that Mr. Stanley had attended a meeting with the Legislative Rules Committee in October 2007, and outlined all of the different professions concerns with his suggestions.

ADJOURN:

2:55 p.m.

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

April 24, 2008

(ss) Rockie Dustin

Date Approved

Chairperson, Certified Court Reporters Licensing Board

(ss) Clyde Ormond

Date Approved

Bureau Manager, Division of Occupational & Professional Licensing